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10/813,405	03/30/2004	Hannu Kulju	5292-12	4771
27799	7590	03/11/2008	EXAMINER	
COHEN, PONTANI, LIEBERMAN & PAVANE			MAHMOOD, REZWANUL	
551 FIFTH AVENUE				
SUITE 1210			ART UNIT	PAPER NUMBER
NEW YORK, NY 10176			2164	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/813,405	KULJU ET AL.	
	Examiner	Art Unit	
	REZWANUL MAHMOOD	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 17 December 2007.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application

6) Other: _____.

DETAILED ACTION

1. This action is in response to the communication filed on December 17, 2007.

Response to Amendment

2. Claims 1-15 are pending in this office action.

Response to Arguments

3. Applicant's arguments filed on September 21, 2006 have been fully considered but they are not persuasive for the following reasons:

Applicant argues that Ho and Chiu do not teach or even suggest the features "retrieving on the basis of the parking data from the parking fee register of the parking fee system application data that includes at least a tariff and an expiration time of the parking" and "activating an application utilizing the application data in the mobile station of the user to utilize the tariff to calculate an accrued parking fee and to display on a display of the mobile station during ongoing parking in real time at least a sum of the accrued parking fee to be charged after the parking in concluded and remaining parking time, if the expiration time has been defined".

Examiner respectfully disagrees all of the allegations as argued. Examiner, in his previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art.

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-1]

Interpretation of Claims-Broadest Reasonable Interpretation

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re Prater*, 162 USPQ 541,550-51 (CCPA 1969).

Ho teaches in Column 2 lines 25-57 and Column 3, lines 1-65 retrieving on the basis of the parking data from the parking fee register of the parking fee system application data that includes at least a tariff and an expiration time of the parking. Ho teaches retrieving from the central parking service parking related data such as changes in tariff, different rates of parking or amount of parking fee due or accrued. Also Ho teaches the payment arrangements to be a pre-paid card or a current credit arrangement.

The teachings of Ho in Column 2 lines 25-57, Column 3 lines 1-65 modified with the teachings of Chiu in Column 2 lines 25-28 and Figure 1 discloses activating an application utilizing the application data in the mobile station of the user to utilize the tariff to calculate an accrued parking fee and to display on a display of the mobile station during ongoing parking in real time at least a sum of the accrued parking fee to be charged after the parking in concluded and remaining parking time, if the expiration time has been defined.

For the above reasons, Examiner believed that rejection of the last Office action was proper.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (US Patent 6,188,328) in view of Chiu (US Patent 5,309,414).

With respect to claim 1, Ho discloses a method for transmitting parking-related data to a user in a parking fee system, in which the user with a mobile station records parking data when parking commences into a parking fee register of the parking fee system, said method comprising (Ho: Column 1, lines 25-39):

retrieving on the basis of the parking data from the parking fee register of the parking fee system application data that includes at least a tariff and an expiration time of the parking, if the expiration time has been defined (Ho: Column 2, lines 25-45; Column 3, lines 1-19 and lines 45-65).

sending the application data from the parking fee register to the mobile station of the user (Ho: Column 3, lines 1-19 and lines 45-65; Here after the user has requested a parking period at a certain zone from the parking service provider, upon approval of the request application data is sent to the mobile station of the user); and

activating an application utilizing the application data in the mobile station of the user to display on a display of the mobile station during ongoing parking in real time remaining parking time, if the expiration time has been defined (Ho: Column 2,

lines 25-57; Column 3, lines 1-19 and lines 45-65; Here upon receiving the parking approval an application in the mobile station of the user is activated displaying to the user and others the remaining parking time).

However, Ho does not explicitly disclose utilizing the tariff to calculate an accrued parking fee and to display at least a sum of the accrued parking fee to be charged .

The Chiu reference, however, discloses a portable parking meter that displays the tariff of a particular parking zone and the accrued parking fee based on the rate or charges (Chiu: Column 2, lines 25-28; Figure 1).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify the teachings of Ho with the teachings of Chiu to retrieve data that includes an expiration time of the parking and a tariff to design a simple as well as portable parking meter (Chiu: Column 1, lines 25-26).

With respect to claim 2, Ho in view of Chiu discloses the method as claimed in claim 1, wherein a program code of the application is entirely included in the application data to be sent to the mobile station (Ho: The program code or instruction to activate the application is included in the approval communicated to the user from the parking service provider).

With respect to claim 3, Ho in view of Chiu discloses the method as claimed in claim 1, comprising:

storing the program code of the application in a memory of the mobile station (Ho: Column 2, lines 7-21; Here the mobile unit houses a computer that is programmed

to carry out various functions. The computer inherently has some memory where the program code of the application is stored);

 sending application data, which includes data related to only the parking event in question, to the mobile station, in the memory of which the program code of the application is stored (Ho: Column 2, lines 7-21; Column 3, lines 1-19; Here the mobile unit houses a computer that is programmed to carry out various functions. The computer inherently has some memory where application data sent by the parking service provider is stored); and

 activating the application stored in the memory to utilize the application data sent (Ho: Column 2, lines 7-21; Column 3, lines 1-19 and lines 45-65).

With respect to claim 4, Ho in view of Chiu discloses the method as claimed in claim 1, further comprising:

 maintaining a log file in a memory of the mobile station by storing the data concerning the accrued parking fees into said log file (Ho: Column 2, lines 7-21; Column 3, lines 1-19 and lines 46-65; Here the mobile station stores in the memory data concerning the accrued parking fees and time. It can be maintained as a log file).

With respect to claim 5, Ho in view of Chiu discloses a parking fee system comprising:

 a tariff database for maintaining data on tariffs of areas within the system, based on which parking fees in the areas concerned are charged (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 46-59; Here the parking service provider

centrally manages the data on the tariffs of the areas within the system, inherently all the data is maintained in a database); and

 a parking fee register including means for maintaining parking data on the vehicles belonging to the system, for which the parking fee register has received parking data indicating the commencement of the parking, said parking fee register being configured to send application data to a mobile station of the user of a determined vehicle in response to reception of the parking data indicating the commencement of the parking of said vehicle from said mobile station, the application data including at least a tariff retrieved from the tariff database on the basis of the parking data and the expiration time of the parking if such an expiration time has been defined, the application data initiating an application in the mobile station of the user, which utilizes said tariff to calculate an accrued parking fee and display on a display of the mobile station in real time during ongoing parking at least a sum of the accrued parking fee to be charged after the parking is concluded and the remaining parking time if the expiration time of the parking has been defined Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 46-65; Chiu: Column 2, lines 25-28; Figure 1).

With respect to claim 6, Ho in view of Chiu discloses the system as claimed in claim 5, wherein the parking fee register is configured to receive location information from a mobile network that indicates the location of the mobile station of the user while receiving the parking data, and based on the location information to determine the area, in which the parking has taken place (Ho: Column 2, lines 7-21 and 25-61; Column 3,

lines 1-19 and lines 46-59; Here the mobile device can have Global Positioning System from which location information can be easily gathered).

With respect to claim 7, Ho in view of Chiu discloses the system as claimed in claim 5, wherein the parking fee register is configured to send application data to the mobile station of the user, the application data including area-specific instruction data that can be utilized to initiate an application in the mobile station of the user to provide instructions to the user of the mobile station in predetermined situations (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 46-59; Chiu; Column 2, lines 25-28; Figure 1; Here the parking service provider can send area-specific information to the user, providing instructions on the parking fees and time limits for parking).

With respect to claim 8, Ho in view of Chiu discloses the system as claimed in claim 5, wherein the parking fee register is configured in response to a registration indicating the termination of the parking of a particular vehicle to send a predetermined deactivation command to the mobile station of the user of the vehicle that deactivates the application initiated in the mobile station (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Here the parking service provider can transmit signal to the mobile device to terminate the parking period).

With respect to claim 9, Ho in view of Chiu discloses a mobile station comprising: a receiver for receiving application data (Ho: Item 13 in Figure 1); and a display for displaying information to the user of the device, the mobile station being configured by means of the received application data to (Ho; Item 14 in Figure 1): calculate during ongoing parking of the vehicle an accrued parking fee utilizing a

tariff included in the application data (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Chiu: Column 2, lines 25-28; Figure 1);

calculate remaining parking time if the application data shows that an expiration time of the parking has been defined (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Chiu: Column 2, lines 25-28; Figure 1); and provide the display with information that show at least the sum of the accrued parking fee to be charged after the parking is concluded and the remaining parking time if the expiration time of the parking has been defined (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Chiu: Column 2, lines 25-28; Figure 1).

With respect to claim 10, Ho in view of Chiu discloses the mobile station as claimed in claim 9, wherein the mobile station is configured to maintain in memory a log file by storing data concerning the accrued parking fees into the log file (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Here the mobile station stores in the memory data concerning the accrued parking fees and time. It can be stored and maintained as a log file).

With respect to claim 11, Ho in view of Chiu discloses a computer program configured to:

control an apparatus after activation to calculate an accrued parking fee utilizing a tariff received by the apparatus (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Chiu: Column 2, lines 25-28; Figure 1);

calculate remaining parking time if the apparatus has received a piece of information indicating the expiration time of the parking (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Chiu: Column 2, lines 25-28; Figure 1); and

provide a display with information indicating at least the sum of the accrued parking fee and the remaining parking time if data concerning the expiration time of the parking has been received (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Chiu: Column 2, lines 25-28; Figure 1).

With respect to claim 12, Ho in view of Chiu discloses the computer program as claimed in claim 11, wherein the computer program is configured to control the apparatus to maintain in memory a log file concerning the accrued parking fee by storing a note into said log file concerning the accrued parking fee in response to a deactivation command of the computer program (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65).

With respect to claim 13, Ho in view of Chiu discloses the method as claimed in claim 2, further comprising:

maintaining a log file in a memory of the mobile station by storing the data concerning the accrued parking fees into said log file (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Here the mobile station stores in the memory data concerning the accrued parking fee and time. It can be stored and maintained as a log file).

With respect to claim 14, Ho in view of Chiu discloses the method as claimed in claim 3, further comprising:

maintaining a log file in the memory of the mobile station by storing the data concerning the accrued parking fees into said log file (Ho: Column 2, lines 7-21 and 25 61; Column 3, lines 1-19 and lines 32-65; Here the mobile station stores in the memory data concerning the accrued parking fee and time. It can be stored and maintained as a log file).

With respect to claim 15, Ho in view of Chiu discloses the system claimed in claim 6, wherein the parking fee register is configured to send application data to the mobile station of the user, the application data including area-specific instruction data that can be utilized to initiate an application in the mobile station of the user to provide instructions to the user of the mobile station in predetermined situations (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Chelnik reference (US Patent 6,832,206) teaches about a parking verification system. The Reinhardt reference (US Publication 2003/0135407) teaches about a parking meter system. The Barends reference (US Publication 2003/0163434) teaches about a parking fee payment system. The Ilgen reference (US Patent 5,905,247) teaches about a parking fee control device. The Leach reference (US

Patent 5,689,476) teaches about a cost monitor. The Carmen reference (US Patent 5,382,780) teaches about a time metering device. The Righi reference (US Patent 4,879,553) teaches about a parking time indicator. The Hjelmvik reference (US Patent 7,114,651) teaches about a method for control of parked vehicles.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rezwanul Mahmood whose telephone number is (571)272-5625. The examiner can normally be reached on M - F 10 A.M. - 5 P.M. .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571)272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rezwanul Mahmood
Examiner
Art Unit 2164
February 29, 2008

/Shahid Al Alam/
Primary Examiner, Art Unit 2162